

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)



Office of Federal Lands Highway

Overview

- Summary of New Act
- Federal Lands Highway Program (FLHP)
- Other Programs and Provisions of Interest to Federal Land Management Agencies (FLMAs)
- FLMA-related Discretionary Projects
- Next Steps

Summary of SAFETEA-LU



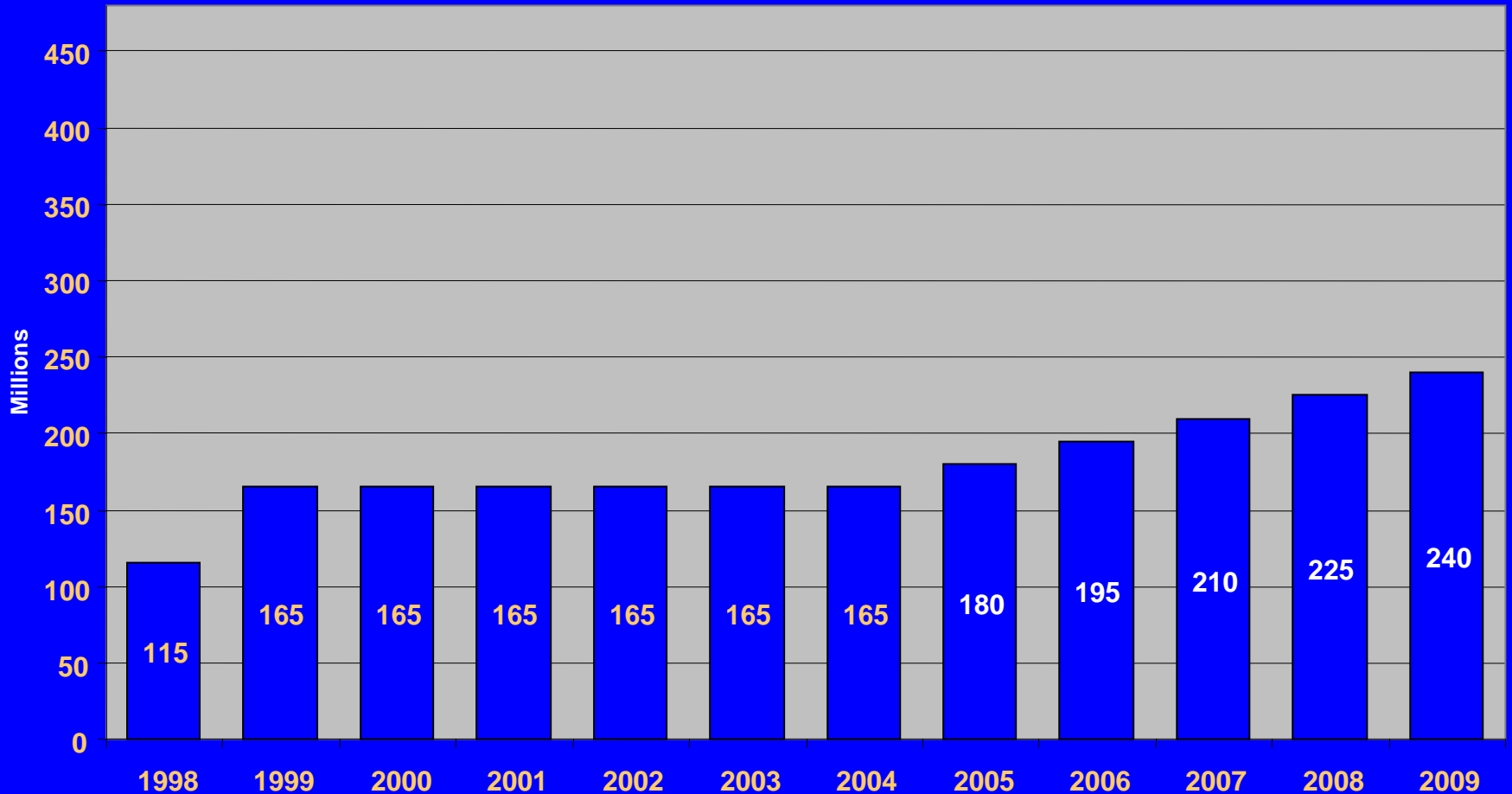
- President Bush signs SAFETEA-LU into law August 10, 2005
- Largest surface transportation investment in our Nation's history
 - \$286.5B over 5 years
- Federal Lands Highway Program – Avg. 26% increase

Federal Lands Highway Program (FLHP) “Then and Now”

- Review Each Core FLHP Program (Section 1119)
 - Funding Differences between TEA-21 and SAFETEA-LU
 - Based on last 5 years of TEA-21 to 5 years in SAFETEA-LU
 - Policy Changes
 - Need for Guidance and/or Rulemakings

Park Roads and Parkways Program “Annual Authorizations”

1998 - 2009

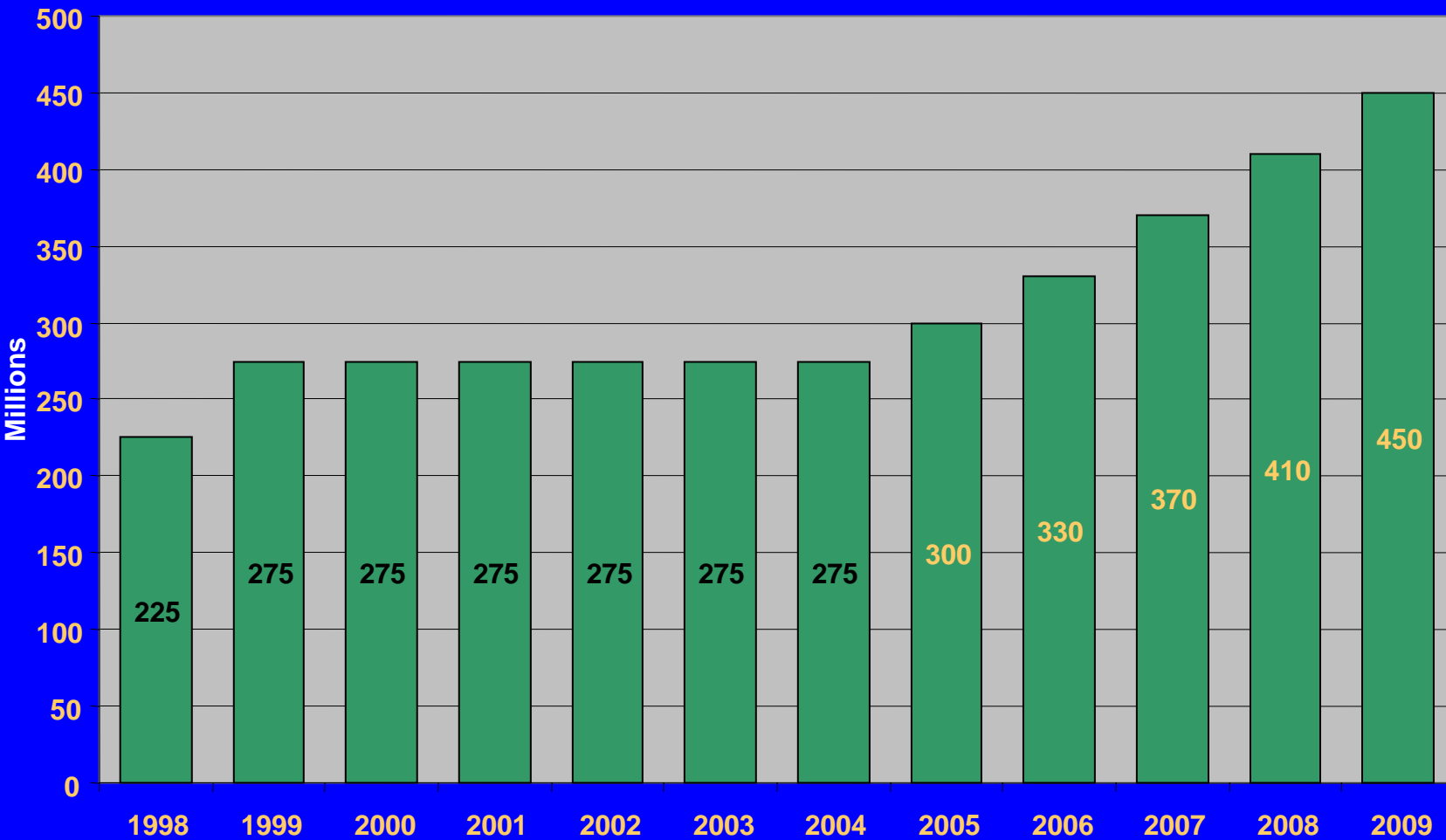


Park Roads and Parkways Program



- Funding
 - Increased funding by 27%
 - Less than Administration's Request for \$1.590B
 - TEA-21 = \$825M
 - SAFETEA-LU = \$1.050B (Section 1101)
- Alaska to receive 3% of funds appropriated {Section 1101 (9) (B) (ii)}
- No new policy changes
- No rulemakings/further guidance anticipated

Indian Reservation Roads (IRR) Program Annual Authorizations 1998 - 2009



IRR Program (cont.)

- Funding

- TEA-21: \$1.375B (included Bridge Program set-aside)
- SAFETEA-LU
 - Core IRR Program: \$1.860B
 - Additional IRR Bridge Program Authorization: \$14M/Yr.
 - *Total: \$1.930B or 40% increase*

IRR – New Policies and Provisions

- Allows direct funding from FHWA to eligible Indian Tribal Governments
- Comprehensive inventory of IRR transportation facilities
 - Report to Congress
- Maintenance
 - Eligible use of IRR funds (up to 25%) for road and bridge maintenance.
 - Maintenance Agreements between Tribes and State DOTs
 - Annual Report to Congress

IRR – New Policies and Provisions (cont.)

- Tribes can approve PS&Es
- All IRR projects must be contained in an approved TIP
- IRR Bridge Program
 - Planning, design, engineering and pre-construction are now eligible
 - PE funds available upon request from tribe
 - CN/CE – funds available after approval of PS&E
 - 23 CFR 661 will require update
- Established new DOT position – Deputy Assistant Secretary of Tribal Government Affairs

Public Lands Highway (PLH) Program

- Composition
 - Forest Highway Program (66%)
 - Public Lands Highway Discretionary (34%)
 - 100% Earmarks
- TEA-21: Total \$1.230B
 - Forest Highway: \$812M
 - PLH-Discretionary: \$418M
- SAFETEA-LU: Total \$1.410B
 - Forest Highway: \$931M
 - PLH-Discretionary: \$479M

Annual Authorization for PLH Program

- **Forest Highway
(66%)**

● FY 05	\$171.6M
● FY 06	\$184.8M
● FY 07	\$184.8M
● FY 08	\$191.4M
● FY 09	\$198M
● <i>Total:</i>	<i>\$930.9M</i>

- **Public Lands
Highway
Discretionary (34%)**

● FY 05	\$88.4M
● FY 06	\$95.2M
● FY 07	\$95.2M
● FY 08	\$98.6M
● FY 09	\$102M
● <i>Total:</i>	<i>\$479.4M</i>

Total: \$1.410B

PLH: Planning Set-aside

{Title 23, Section 204 (i) (2)}

- Approximately \$6M per year
- Recipients
 - Bureau of Land Management
 - Bureau of Reclamation
 - Department of the Army
 - Department of the Navy
 - Surface Distribution and Deployment Command
 - Tennessee Valley Authority
 - Forest Service (Planning for Public Forest Service Roads only)

PLH – New Policies and Provisions

- New eligible uses of PLH funds {Section 1119 (m)}
 - Maintenance of Forest Highways (Not to exceed \$20M/yr.)
 - Signage for Public Hunting/Fishing Access (Not to exceed \$1M/yr.)
 - Aquatic Species Passages (Not to exceed \$10M/yr.)
- Expanded Sec. 202, Allocations, to include “grasslands”

Refuge Roads Program

- Funding
 - TEA-21: \$100M
 - SAFETEA-LU: \$145M
 - 45% increase
- Refuge Roads Program Annual Authorizations
 - FY 05 \$29M
 - FY 06 \$29M
 - FY 07 \$29M
 - FY 08 \$29M
 - FY 09 \$29M
 - ***Total: \$145M***

Refuge Roads: New Policies and Provisions

- Expands eligible use of funds to include
 - Interpretive signage projects
 - Maintenance and improvement of recreational trails (up to 5% per yr.)
 - Non-Federal share match for projects funded under Title 23 or chapter 53 of Title 49 that provide access to or within a wildlife refuge

FLHP Program Comparison

FLHP Program	TEA-21 (1999-2003 total)	SAFETEA-LU (2005-2009 Total)
1. Indian Reservation Roads	\$1.375B	\$1.930B (40% increase)
2. Park Roads and Parkways	\$825M	\$1.050B (27% increase)
3. Public Lands Highway	\$1.230B	\$1.410B (15% increase)
a. Forest Highway		
b. Discretionary	\$812M	\$931M
	\$418M	\$479M
4. Refuge Roads	\$100M	\$145M (45% increase)
Total: (28% increase in total program)	\$3.530B Yearly Avg.: \$706M	\$4.535B Yearly Avg.: \$907M

FLHP-related Programs and Provisions

- Wildlife Vehicle Collision Study
- Alternative Transportation
- Earmarks
- Planning
- Environment
- Emergency Relief
- Federal Share Payable or “Match”
- Congestion Relief
- Bicycle and Pedestrian Walkways
- National Scenic Byways Program

New Study



- Wildlife Vehicle Collision Reduction Study {Section 1119 (n)}
 - Examining methods for reducing collisions between motorists and wildlife
 - Report to Congress: Due August 2007
 - Develop training and best practices thereafter
- FHWA's Office of Safety R&D
 - Office of Primary Responsibility

Alternative Transportation

- Alternative Transportation in Parks and Public Lands {Section 3021}
 - Eligible agencies
 - National Park Service
 - Fish and Wildlife Service
 - Bureau of Land Management
 - Bureau of Reclamation
 - Forest Service
 - Expanded definition of Alt. Trans. to include:
 - Bicycle
 - Pedestrian
 - Non-motorized watercraft
 - Purchase or replacement of rolling stock using clean fuel tech.

Alternative Transportation (cont.)

- Shared program responsibility
 - DOT and DOI
 - FTA will manage program
- Funding Parameters Identified
 - Planning: up to 10% of funds
 - No one project can exceed 25% of yearly authorization
- Report to Congress

● Alternative Transportation Program Annual Authorizations

- FY 06 \$22M
- FY 07 \$23M
- FY 08 \$25M
- FY 09 \$26.9M
- ***Total: \$96.9M***

Public Transportation on Indian Reservations

- Sec 3013 – Formula Grants for Other Than Urbanized Areas
- Uses of Grant Funds
 - Public Trans. Capital Projects
 - Operating costs of equipment & facilities
 - Acquisition of public trans. services
- Grant Apportionments
 - FY 06 \$8M
 - FY 07 \$10M
 - FY 08 \$12M
 - FY 09 \$15M
 - ***Total:*** ***\$45M***

Earmarks

- SAFETEA-LU
 - 5091 High Priority Projects {Sections 1701 and 1702}
 - 466 Transportation Improvements {Sections 1934 – 1936}
- Federal Lands Highway Program
 - Identified approximately 115 projects totaling about \$340M
 - Fact Sheet and List available on FLH's website
 - Fluid process
- Going-to-the-Sun Road Project {Section 1940}
 - Authorized \$10M per year; total \$50M until expended
 - Subject to yearly appropriations (No contract authority)
 - 100 Federal Share
- Hoover Dam Bridge Project {Section 1114 (g)}
 - Bridge Set-aside
 - \$12.5M/yr (2006-2009)

Planning

- Metropolitan and Statewide Planning {Sections 3005 and 3006}
 - Greater emphasis on including FLMAs and Tribal Governments in the planning processes
 - Sec 5303 (g): Secretary encourages MPO consultation with “recipients of assistance under Section 204 of Title 23”
 - Sec 5304 (g) (2): When applicable, shall consult with tribal Government(s) in coordination with DOI
 - Projects included in TIPs and STIPs will include “projects under chapter 2 of Title 23” {Sections 5303 (j) (3) and 5304 (g) (4)}

Environment

- Environmental Reviews {Section 6002}
 - Designates FHWA as lead agency
 - FHWA developing guidance
 - Policy change intended to increase efficiency and decrease review time
- Parks Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites {Section 6009}
 - Authorizes DOT to establish new standard for De Minimus impacts
- Pilot Delegation of Environmental Reviews (Sec. 6005)
 - Fed-aid projects only; does not apply to FLHP-related projects in pilot states

Emergency Relief Program

(Section 1112)

- Supports FLH's Emergency Relief for Federally-Owned Roads (ERFO) Program
 - ER Program authorized \$100M per yr.
 - Federal Lands related requests are bundled with all State's requests
- Use of General Fund
 - For needs exceeding \$100/yr.
 - Subject to appropriations

Federal Match

- FLHP Projects = 100% federally funded/no match requirement
- SAFETEA-LU {Section 1119 (a)}
 - Provides greater flexibility to use FLHP funds for non-FLHP projects
 - FLHP dollars can now be used toward “any project” funded under “Title 23 or chapter 53 of Title 49”
 - Title 49 – Transportation
 - Chapter 53 – Mass Transportation

Congestion Relief (Sec. 1952)

- Conduct design and feasibility analysis
 - Southbound traffic on George Washington Parkway
 - Act on results of analysis
- Eastern Federal Lands' (EFLs') Purview

Bike and Pedestrian

- Bicycle Transportation and Pedestrian Walkways Program {Section 1954}
 - Amends Bike and Ped. Program (Title 23, Section 217 c)
 - Allows the use of FLHP funds to do stand-alone bike and ped. projects

National Scenic Byways Program

- Notable change {Section 1802}
 - Indian tribes are eligible for grants and technical assistance
 - Indian Tribe Scenic Byway
- Federal Share 80%
 - FLMAs may use FLHP funds for 20% match
- \$175M Program
 - Total over 5 years; avg. \$35M/yr.

For More Information

- Wady Williams and Scott Johnson
 - Office of Federal Lands Highway
 - (202) 366-9488 & 9480, respectively
 - Wady.Williams@fhwa.dot.gov and Scott.Johnson@fhwa.dot.gov
- FHWA Website
 - <http://www.fhwa.dot.gov/flh/index.htm>
 - SAFETEA-LU Link

Any Questions?